

## **AMENDMENTS TO THE CLAIMS**

The following listing of claims will replace all prior versions and listings of claims in the application.

### **LISTING OF CLAIMS**

1-9. (Cancelled)

10. (Currently amended) A fuel cell system, comprising:

a fuel cell that processes an oxidant to produce electrical energy;

a variable capacity compressor system that supplies said oxidant to said fuel cell and that is operable in a normal mode below a threshold rate of 40%/s and a rapid transient mode selected from an upward and downward variation at or above the threshold rate, said variable capacity compressor system comprising:

a compressor that compresses said oxidant; and

a motor that drives said compressor

a controller that monitors a power demand from said fuel cell and that selects a power source for said motor, said power source being either a main power source when operating in said normal mode or a supplemental power source when operating in said rapid transient mode which is upward wherein said supplemental power source is selected from capacitors and supercapacitors and wherein said controller controls charging of said supplemental power source during said normal mode comprising regenerative braking of the motor that converts mechanical energy into charging current.

11--16.(Cancelled)

17. (Currently amended) The fuel cell system of claim 10 wherein charging is ~~achieved~~ further comprises using power generated by said fuel cell.

18--19. (Cancelled)

20. (Original) The fuel cell system of claim 10 wherein said controller shifts said variable capacity compressor between said normal mode and said rapid transient mode based on said power demand.

21. (Currently amended) A method of operating a fuel cell system comprising a variable capacity compressor system, comprising a variable capacity compressor that supplies an oxidant to fuel cells of the fuel cell system and a motor that drives the compressor, the method comprising:

operating said variable capacity compressor in a normal mode at a first capacity of the fuel cell system to produce electrical power;

powering ~~said variable capacity compressor~~ the motor from a main power source during said normal mode;

adjusting said variable capacity compressor from said first capacity to a second capacity of the fuel cell system to produce electrical power when in a rapid transient mode at or above a threshold rate of 40%/s; and

when in said rapid transient mode either:

a) powering ~~said variable capacity compressor~~ the motor from a supplemental power source when said rapid transient mode is an upward rapid transient mode, or

b) regeneratively braking ~~a motor associated with said compressor~~ the motor to produce charging current for said supplemental power source when operating in said rapid transient mode which is a downward rapid transient mode.

22. (Original) The method of claim 21 wherein said second capacity is greater than said first capacity when operating in said upward rapid transient mode.

23. (Original) The method of claim 21 wherein said second capacity is less than said first capacity wherein operating in said downward rapid transient mode.

24. (Original) The method of claim 21 wherein said supplemental power source is a capacitor.

25. (Original) The method of claim 21 further comprising charging said supplemental power source during said normal mode.

26. (Currently amended) The method of claim 21 further comprising using power from said supplemental power source to increase speed of ~~a motor of said compressor~~ the motor when in said upward rapid transient mode.